

SEVENTH ANNUAL REPORT

MARYLAND STATE BOARD OF MOTION PICTURE CENSORS



1922—1923

**OFFICES
211 NORTH CALVERT STREET
BALTIMORE, MARYLAND**

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OF
MOTION PICTURE CENSORS

1922---1923

GEORGE HELLER
Chairman

CHARLES F. MACKLIN
Vice Chairman and Treasurer

MARIE WHITE PRESTMAN
Secretary

HELEN L. ODOM
Chief Clerk

OFFICES
211 NORTH CALVERT STREET
BALTIMORE, MARYLAND

Baltimore, Maryland

November 1, 1923

To the Honorable Albert C. Ritchie, Governor of Maryland:

In compliance with law and custom, the Maryland State Board of Motion Picture Censors respectfully submits the following report of its operations for the year ending September 30, 1923.

The act creating the Board of Censors, and known as Chapter 209 of the Acts of 1916, was repealed by Act of the Legislature of 1922, and a new law passed (Chapter 390, Acts 1922), under which the Board has been in operation since June 1, 1922.

During the past year the Board, by reason of the heavier penalties and more rigid requirements of the law, has been better able to carry out the intent and purposes of the act in regard to the prevention of improper exhibition of films and advertising matter relating thereto; while at the same time fewer prosecutions have been necessary, and in general less friction with the exhibitors, distributors and others interested has been encountered than heretofore. Such violations of the law as have occurred were generally due more to negligence of employees than to any intent to evade the law.

The allowance of funds for the employment of paid inspectors to do the "follow-up" work for the Board has been the means of greatly increasing the co-operation of the exhibitors with the Board. The inspectors come under the State Merit System and are required to pass a competitive examination. Especially in Baltimore, where considerably more than one-half of the motion picture houses of the State are located, have the good effects of inspection been apparent. The exhibitor, upon the receipt of a film which does not appear to be properly marked as approved by the Board of Censors, brings the reel directly to the office of the Censors, and the Board in nearly every case has been able to censor the film, if necessary, or to restore the seal, which frequently has been lost, with little or no delay to the exhibitor through the negligence or oversight of the distributor.

Primarily, the responsibility of having a film censored rests upon the lessor of the film. The exchange, therefore, under the law may not *lend, lease * * *, or use* a film in the State without first complying with the law by submitting the film for examina-

tion, and by the payment of \$2.00 a reel for an original. In many cases films are shipped directly to the exhibitor by exchanges outside the State, thus placing the responsibility upon the exhibitor; for the law also prohibits the *exhibition* of an uncensored film. In all cases the exhibitor is liable.

At points outside Baltimore City, where the offices of the Board are located, the shipment of an uncensored film is a more serious inconvenience to the exhibitor, for he is frequently unable to secure any other film in time for his night's show. To remedy this condition, the Board has on hand a number of emergency seals to be used on films censored but not properly marked; these are placed in the hands of persons responsible to the Board to be used for one exhibition only, so that no undue hardship may result by forcing the house to close for lack of an approved seal.

This system is not enforced throughout the State with the same facility as in the city, due to the fact that not enough paid inspectors can be employed by the Board. The isolated districts are protected, however, by the close inspection of films in the city, which are viewed here to ascertain if all cuts are properly made. The prints are subsequently shipped throughout the State. Censored prints are marked in such a way that they are immediately distinguished, and the fraudulent use of a seal may always be checked by the exhibitor himself who is required by the Board to look for the number corresponding to the seal on the title of the film itself, where it is placed at the time the print is censored.

The additional charge of \$1.00 for the censorship of each duplicate reel of censored film, while helping to even the burden of taxation by forcing the more profitable film to pay a higher tax, is necessary also for the purpose of requiring all prints in use in the State to pass through the office of the Board in order that they may be marked and examined to ascertain if the cuts ordered in the original have been made in the duplicate.

The right of appeal to the Baltimore City Court from a decision of the Board has been preserved in the law, but in no case have the film exchanges or owners appealed under the Act to the court from any of the rulings of the Board. Numerous appeals from cuts ordered by a censor have been heard by the Board sitting as an Appeal Board, composed of two or more members, in the presence of the applicant, as required by the

law. In this way many of the original cuts have been modified, and in a few cases rejected films have been passed in a revised form.

A detailed list of the number of films ordered cut, and the number of films rejected, is appended; also a statement of the receipts and disbursements of the Board. It is to be noted with satisfaction that the percentage of cuts made in the films shows a decrease, being about one in seven, as against one in every five films of former years. Only five films were found totally unfit for exhibition, two of the same having been finally reconstructed and passed, making a final rejection of only three films *in toto*. This is a marked improvement over previous years. The above decrease in cuts, in the opinion of the Board, is directly due to a marked improvement in the quality of the films presented for censorship. The production of high type films has seemed to be the aim and object of the majority of producers.

A year ago the industry itself, recognizing the necessity for some drastic action to check the making of bad pictures, organized as the Motion Picture Producers and Distributors of America, Inc., and has endeavored to set standards for the purpose of making the screen clean. If these high standards could be so inculcated at the source of production that all directors would comply with them, there would be no need for censorship. But it remains a fact that without legalized control, the less responsible and unconscionable minority of producers would continue, as in the past, to put upon the market the same class of sensational and unwholesome pictures, to the injury of the public and to the detriment of the industry itself. It has been argued by the producers that Federal control of Motion Pictures is inevitable should the states continue to pass laws restricting the exhibition of films. A Federal Board, however, would in no way affect the control of the State over the subject, which is within the police power of the state.

The law prohibits the exhibition of all films which are *obscene, sacrilegious, indecent, inhuman, or immoral, or such as tend, in the judgment of the Board, to degrade and corrupt morals or incite to crime*. In censoring films the Board always adopts a liberal point of view. The motion picture is a legitimate industry, and as such it should be fostered. It is a medium of education which has boundless possibilities for good and evil; it is the chief amusement of the vast majority of all

classes of people of all tastes and grades of intellectual development. The object of censorship is to keep out the evil films with their undisputed ill effects upon the minds of the young and inexperienced, and to check bad tendencies in film production by a timely warning which, if heeded by the producers, will prevent the investment of large sums in types of films which the thinking public will inevitably condemn. The Censor Board protects the public against the exhibition of salacious and unwholesome films; it also protects from unfair competition the conscientious producer who is not trying to capitalize for his own ends the weaknesses of human nature.

It is to be noted that the great majority of films are approved without cuts. Many films are of great educational and artistic value. The Board has the power to grant its approval of all exhibitions of films for *purely educational, charitable, fraternal or religious purposes*, without examination or charge, upon the filing of a written application by the proper person, including a sworn description of the character and purposes of the film. This discretion of the Board might be enlarged to include industrial films and news reels, but the danger of unfairness in distinguishing between classes of film to be used for commercial purposes is apparent. Over non-commercial films for non-commercial purposes the Board has no control.

The Board has kept a record of its meetings and work, which is open for inspection at its offices.

ADVERTISING

The same standards are applied to advertising as to films. Under the provisions of Chapter 390, Paragraph 15, Acts of 1922, control of advertising matter relating to motion pictures, *i. e.*, banners, posters, but not publications, was vested in the Board, which is given the power of confiscating misbranded films, and the power to recall permits issued on films shown in violation of the Board's rulings. The rule laid down by the Board under the authority given is that all advertising must fairly represent the film and must not contain any of the scenes which the Board has ordered cut from the film itself. Upon the passing of each film, a signed agreement to observe these rules is required of the applicant. In cases where the Board thinks advisable, or the applicant is in doubt, the Board will pass upon the advertising matter itself.

RECOMMENDATIONS

The offices of the Board, on the second floor of 211 North Calvert Street, Baltimore, located in a neighborhood convenient to the industry, have nevertheless been the cause of numerous complaints due to the fact that the building has no elevator and the film cases are heavy and hard to handle. The Board has made every effort to locate in a place advantageous to the business, but due to the high rental caused by the excess fire insurance charged on account of the storage of films, it has been unable to secure better accommodations.

The Board would, therefore, recommend the purchase by the State of a one-story building for the convenience of the industry and for purpose of economy to the State.

Respectfully submitted,

GEORGE HELLER, *Chairman*

CHARLES F. MACKLIN, *Vice Chairman*

MARIE WHITE PRESSTMAN, *Secretary*

Baltimore, October 22nd, 1923

Maryland State Board of Motion Picture Censors,
211 North Calvert Street,
Baltimore, Maryland.

Gentlemen :

We have today completed an audit of the books and accounts of your office and found same to be correct.

I enclose herewith a statement showing the receipts and disbursements for the period October 1st, 1922, to September 30th, 1923.

Yours very truly,

LEWIS M. MILBOURNE,
State Auditor

MARYLAND STATE BOARD OF MOTION PICTURE CENSORS

OCTOBER 1st, 1922, TO SEPTEMBER 30th, 1923

Receipts

Balance in Bank October 1st, 1922.....	\$21,458.96	
Received October 1st, 1922, to September 30th, 1923		
State Treasurer	\$19,878.50	
Fees, Original Reels (10,223).....	20,446.00	
Fees, Duplicate Reels (5,068).....	5,068.00	
Sale of Substitute Seals (1,306).....	1,306.00	
Fines	130.00	
Interest on Deposits.....	95.08	
Telephone Calls	14.43	
		<u>46,938.01</u>
		\$68,396.97

Disbursements

Operating Expenses:

Salaries and Wages.....	\$15,300.55	
Rent	1,950.00	
Postage	35.00	
Office Supplies and Stationery.....	57.68	
Printing	133.15	
Office Expenses	99.16	
Telephone and Telegraph.....	189.48	
Miscellaneous	36.00	
Office Equipment	99.89	
Record Books	34.50	
Traveling Expenses	263.09	
Premium on Bonds.....	15.00	
Light and Power.....	270.90	
Machine Supplies	177.23	
Repairs	32.20	
Film Approval Seals.....	1,199.10	
		<u>\$19,892.93</u>
Remitted to State Treasurer		
September 30th, 1922.....	\$21,458.96	
September 30th, 1923.....	27,045.08	
		<u>48,504.04</u>
		\$68,396.97

MARYLAND STATE BOARD OF MOTION PICTURE CENSORS

REPORT OF FILMS EXAMINED

October 1, 1922—September 30, 1923

	Films Original	Films Duplicate	Reels Original	Reels Duplicate	Films Approved	Films Rejected	Films Eliminated
October	299	137	941	343	371	0	65
November	322	160	925	370	409	0	73
December	321	140	931	324	403	0	58
January	342	156	1,019	389	428	0	70
February	264	143	796	364	342	1	64
March	337	168	946	377	404	3	98
April	280	178	833	437	398	0	60
May	293	194	852	446	422	1	64
June	256	189	730	519	369	0	76
July	202	146	544	333	310	0	38
August	274	197	845	568	404	0	67
September	275	200	861	598	423	0	52
	3,465	2,008	10,223	5,068	4,683	*5	785

*3 films finally rejected—2 passed in reconstructed form.

SUMMARY OF REPORT

Films, Original	3,465		
Films, Duplicate	2,008		
Reels, Original		10,223	
Reels, Duplicate		5,068	
Films Approved			4,683
Films Rejected			5
Films Eliminated			785
	5,473	15,291	5,473

RECORD OF PROSECUTIONS FOR YEAR 1922-1923

Date	Title of Film	Where Exhibited	Nature of Offense	Imposed Fine
October 26, 1922.....	Shorty Masquerading....	Goldfield Theatre, Baltimore.....	Uncensored Film.....	\$25.00
October 31, 1922.....	Clover Theatre, Baltimore (Benjamin Caplan).....	Showing improper posters.....	50.00
October 31, 1922.....	Arthur Moratto.....	Leasing improper posters.....	50.00
December 19, 1922.....	Woman Who Came Back	Pennington Theatre.....	No Seal.....	5.00
July 25, 1923.....	Bawl.....	Garden Theatre.....	Eliminations not made...	Dismissed
				<u>\$130.00</u>